

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Edwards et al.
Serial No.: Unknown
Filed: 8 March 2004
For: Universal Introducer

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN
THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION
(37 CFR 1.97(b))**

NOTE: "An information disclosure statement shall be considered by the Office if filed: (1) within three months of the filing date of a national application; (2) within three months of the date of entry of the national stage as set forth in S 1.491 in an international application; or (3) before the mailing date of a first Office action on the merits, whichever event occurs last." 37 CFR 1.97(b).

NOTE: The "filing date of a national application" under 37 CFR 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 CFR 1.53(b) as "the date on which: (1) A specification containing a description pursuant to S 1.71 and at least one claim pursuant to S 1.75; and (2) any drawing required by S 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by S 1.41." 37 CFR 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. S 371(c) within the periods set forth in S 1.494 or S 1.495. 35 U.S.C. S 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 CFR 1.97(b)(2).

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION
DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed WITHIN THREE MONTHS OF THE FILING DATE OF THE APPLICATION OR DATE OF ENTRY INTO THE NATIONAL STAGE OF AN INTERNATIONAL APPLICATION OR BEFORE THE MAILING DATE OF A FIRST OFFICE ACTION ON THE MERITS, WHICHEVER EVENT OCCURS LAST. 37 CFR 1.97(b).

NOTE: "NO CERTIFICATION OR FEE IS DUE WHEN THE FILING IS MADE WITHIN THE ABOVE TIME PERIOD. IT IS ADVISABLE TO ENSURE THAT NO OFFICE ACTION HAS BEEN MAILED IF THE DISCLOSURE STATEMENT IS DELAYED UNTIL AFTER THREE MONTHS FROM FILING.

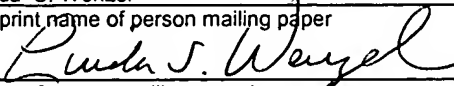
NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 CFR 1.8, or Express Mail certificate under 37 CFR 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

CERTIFICATE OF MAILING (37 CFR 1.8(a)) or (37 CFR 1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United State Postal Service on the date shown below as Express Mail Label No. EV 318693124 in an envelope addressed as follows: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

Date: 8 March 2004

Linda S. Wenzel
Type or print name of person mailing paper


(Signature of person mailing paper)

- NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).
- NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 CFR 1.142) or just a requirement for additional fees to have a claim considered (37 CFR 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).
- WARNING: "A PETITION FOR SUSPENSION OF ACTION TO ALLOW APPLICANT TIME TO SUBMIT AN INFORMATION DISCLOSURE STATEMENT WILL BE DENIED AS FAILING TO PRESENT GOOD AND SUFFICIENT REASONS, SINCE 37 CFR 1.97 PROVIDES ADEQUATE RECOURSE FOR THE TIMELY SUBMISSION OF PRIOR ART FOR CONSIDERATION BY THE EXAMINER." NOTICE OF JULY 6, 1992 (1141 O.G. 63).

The submission of any document herewith is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima face* prior art reference against the claims of the present application.

COPIES OF THE DOCUMENTS LISTED ON THE ATTACHED FORM PTO-1449 CAN BE FOUND IN THE FILE WRAPPER OF PARENT APPLICATION SERIAL NO. 09/037,659 FILED 10 MARCH 1998 AND ARE THEREFORE NOT INCLUDED WITH THIS SUBMISSION.

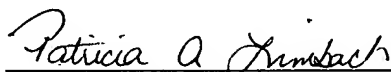
Should any fees be necessary in connection with this submission, please charge same to Account No. 06-2360.

Date 8 March 2004

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Signature of Attorney of Record

Patricia A. Limbach

Type or Print Name of Attorney of Record

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LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary)	ATTY DOCKET NO. 1849.16437-DIV	SERIAL NO. Unknown
	APPLICANT Edwards et al.	
	FILING DATE 4 March 2004	GROUP Unknown

Customer No. 26308

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	5,290,310	3-1-94	Makower et al.	606	213	7-13-92
	5,197,971	3-30-93	Bonutti	606	192	12-18-90
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	5,728,132	3-17-98	Van Tassel et al.	606	213	4-8-96
	5,447,502	9-5-95	Haaga	604	265	3-28-94
	4,838,280	6-13-89	Haaga	128	751	5-26-88
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	5,419,765	5-30-95	Weldon et al.	604	96	2-16-94
	5,281,197	1-25-94	Arias et al.	604	57	7-27-92
	5,437,292	8-1-95	Kipshidze et al.	128	898	11-19-93
	5,725,498	3-10-98	Janzen et al.	604	51	9-12-96
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	5,665,107	9-9-97	Hammerslag	606	214	9-7-95
	5,665,106	9-9-97	Hammerslag	606	214	9-7-95
	5,649,959	7-22-97	Hannam et al.	606	213	2-10-95
	5,630,833	5-20-97	Katsaros et al.	606	213	3-24-95
	5,700,273	12-23-97	Buelna et al.	606	148	7-14-95

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (If Appropriate)
	5,810,810	9/1998	Tay et al.			
	5,814,008	9/1998	Chen et al.			
	5,951,583	9/1999	Jensen et al.			

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		DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yes No

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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	5,171,222	12/92	Euteneuer, et al.				
	5,221,259	6/93	Weldon, et al.				
	5,222,974	6/93	Kensey, et al.				
	5,250,025	10/93	Sosnowski, et al.				
	5,275,616	1/94	Fowler				
	5,282,827	2/94	Kensey, et al.				
	5,292,309	3/94	Van Tassel, et al.				
	5,292,332	3/94	Lee				
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	5,413,571	5/95	Katsaros, et al.				
	5,415,657	5/95	Taymor-Luria				
	5,441,517	8/95	Kensey, et al.				
	5,486,195	1/96	Myers, et al.				
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	5,591,205	1/97	Fowler				
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
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U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	4,424,833	1/84	Spector, et al.				
	4,555,242	11/85	Saudager				
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	4,852,568	8/89	Kensey				
	4,874,368	10/89	Miller, et al.				
	4,890,612	1/90	Kensey				
	4,891,359	1/90	Saferstein, et al.				
	5,002,051	3/91	Dew, et al.				
	5,021,059	6/91	Kensey, et al.				
	5,042,985	8/91	Elliott, et al.				
	5,053,046	10/91	Janese				
	5,061,274	10/91	Kensey				
	5,108,421	4/92	Fowler				
	5,129,882	7/92	Weldon, et al.				
	5,156,613	10/92	Sawyer				
	5,159,937	11/92	Tremulis				
	5,192,300	3/93	Fowler				
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
	92/22252	12/92	PCT				
	0 482 350 A2	4/92	Europe				
	0 482 350 B1	12/96	Europe				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
Vascular Solutions, Inc. Company Summary, www.vascularsolutions.com							
EXAMINER				DATE CONSIDERED			

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U.S. PATENT DOCUMENTS						
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	5,626,601	5/97	Gershony, et al.			
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						Yes	No
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	Kopchok, G., et al. "Thermal Studies of In-Vivo Vascular Tissue Fusion by Argon Laser." <i>Journal of Investigative Surgery</i> . 1988. 1:5-12.

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